

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

VINCENT A. CORTLESSA, SR.	)	
	)	Civil Action No. 14-1347
Plaintiff,	)	
	)	District Judge Mark R. Hornak
v.	)	
	)	
MR. RICH FITZGERALD, Allegheny County	)	Magistrate Judge Lisa Pupo Lenihan
Executive, MR. STEVEN A. ZAPPALA,	)	
BOROUGH EXECUTIVE OF JEFFERSON	)	
HILLS, CHIEF OF POLICE OF JEFFERSON	)	
HILLS, OFFICER JEFF E. BEATTY,	)	
MR. ELLIOT HOWSIE,	)	
MS. SHANICKA L. KENNEDY,	)	
MR. JESSEL COSTA, III,	)	
MR. ORLANDO L. HARPER,	)	
MS. LATOYA WARREN,	)	
MS. MONICA LONG,	)	ECF Nos. 73, 76, 79, 81, 83 & 92
MR. WILLIAM EMERICK,	)	
MS. KAITLIN LEE,	)	
MR. GUY RESCHENTHALER,	)	
JOHN DOES 1-10, MR. ADAM BISHOP,	)	
OFFICER ZELLERS, OFFICER HAMAVICH,	)	
OFFICER SEMIGE, MR. JIM DOLHI,	)	
MR. TIM NICHOLS	)	
Defendants.	)	

**MEMORANDUM ORDER**

Plaintiff delivered his Complaint to the clerk of courts for the United States District Court for the Western District of Pennsylvania on October 6, 2014. The original Complaint was filed on October 14, 2015, and referred to United States Magistrate Judge Lisa Pupo Lenihan for pretrial proceedings in accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1), and Rules 72.C and 72.D of the Local Rules of Court. Plaintiff's Third Amended Complaint was filed on March 2, 2015. (ECF No. 67.)

The Magistrate Judge's Report and Recommendation (ECF No. 92) filed on October 30, 2015, recommended that the Motions to Dismiss filed by Defendants at ECF Nos. 73, 76, 79, 81, and 83 be granted. Service was made on all counsel of record and the pro se Plaintiff. The parties were informed that in accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1)(B) and (C), and Local Rule of Court 72.D.2, they had fourteen (14) days from the date of service to file objections to the Report and Recommendation. On November 16, 2015, Plaintiff filed Objections (ECF No. 96), and on November 25, 2015, Defendant Stephen A. Zappala filed a Brief in Opposition to the Objections (ECF No. 103).

After review of the pleadings, documents in the case, and the Objections, together with the Report and Recommendation, the following Order is entered:

**AND NOW**, this 10th day of December, 2015, it is hereby **ORDERED** that the Motions to Dismiss at ECF Nos. 73, 76, 79, 81, 83 are **GRANTED**.

**IT IS FURTHER ORDERED** that the Report and Recommendation (ECF No. 92) of Magistrate Judge Lenihan, dated October 30, 2015, is adopted as the Opinion of the Court.



MARK R. HORNAK  
United States District Judge

cc: Vincent A. Cortlessa, Sr.  
FJ-7676  
SCI-Pittsburgh  
Allegheny County Jail  
P.O. Box 99991  
Pittsburgh, PA 15233